

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WAYNE PETTAWAY,	)	
	)	Civil Action No. 20 – 1666
Petitioner,	)	
	)	
v.	)	Magistrate Judge Lisa Pupo Lenihan
	)	
MICHAEL CLARK and THE	)	
ATTORNEY GENERAL OF THE	)	
STATE OF PENNSYLVANIA,	)	
	)	
Respondents.	)	

**ORDER**

This habeas case was transferred to this Court from the United State Court of Appeals from the Third Circuit on October 22, 2020. (ECF No. 1-1.) However, this action may not proceed unless Petitioner either,

- (1) tenders to the “Clerk, U.S. District Court” a statutory filing fee in the amount of \$5.00, or,
- (2) files a properly completed application to proceed *in forma pauperis*, along with a certified copy of his prison account statement for the six (6) months preceding the filing of his Petition. An application to proceed *in forma pauperis* is enclosed.

Therefore,

**IT IS HEREBY ORDERED** this 19th day of November, 2020 that the Clerk of Court mark this case **CLOSED**.

**IT IS FURTHER ORDERED** that Petitioner may submit a motion to proceed *in forma pauperis*, along with a certified copy of the inmate account statement for the six (6) months preceding the filing of his Petition. If that motion is granted, the case will be reopened.

**IT IS FURTHER ORDERED** that the Petitioner may also reopen this case by paying the \$5.00 filing fee.

**AND IT IS FURTHER ORDERED** that the Petitioner is allowed fourteen (14) days from this date to appeal this order to a District Judge pursuant to Rule 72.C.2 of the Local Rules. Failure to appeal within fourteen (14) days may constitute waiver of the right to appeal.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan  
United States Magistrate Judge

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